

APPLICATION ACCEPTED: February 6, 2013
BOARD OF ZONING APPEALS: July 24, 2013*
*MOVED AT THE APPLICANTS REQUEST
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 17, 2013

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-MV-012

MOUNT VERNON DISTRICT

APPLICANT: South Springfield Congregation of Jehovah's Witnesses

ZONING: R-1

LOCATION: 8701 and 8713 Pohick Road, Springfield, 22153

ZONING ORDINANCE PROVISION: 8-303

TAX MAP: 98-1 ((1)) 58 and 60

LOT SIZE: 3.56 acres of land (total)

PLAN MAP: Residential, 1-2 d/u's per acre

SP PROPOSAL: To permit a place of worship

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-MV-012 subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\rhomer\Special Permits\jehovahs witness\Jehovah's staff report.doc

Rebecca Homer

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2013-MV-012

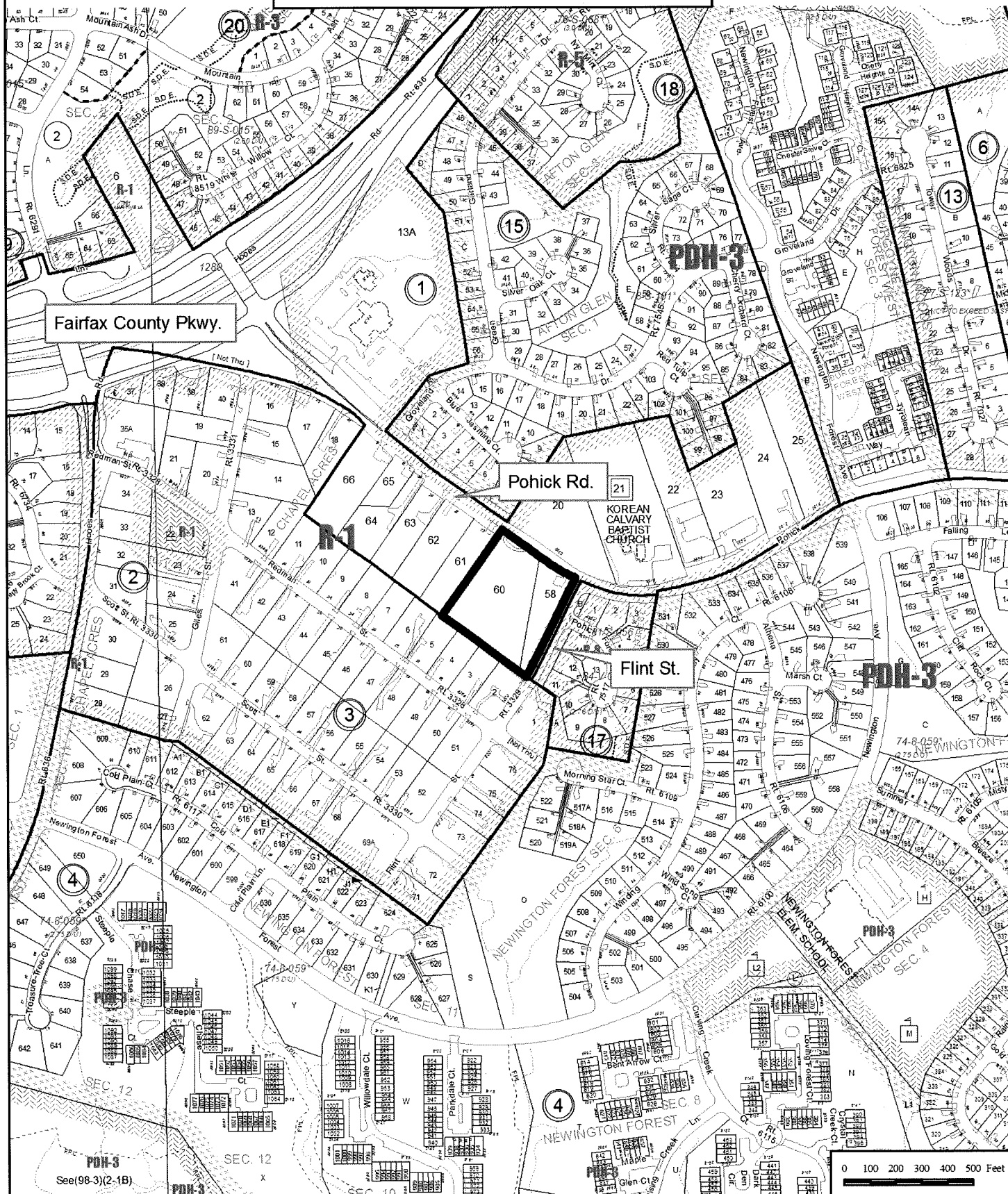
SOUTH SPRINGFIELD CONGREGATION OF
JEHOVAH'S WITNESSES

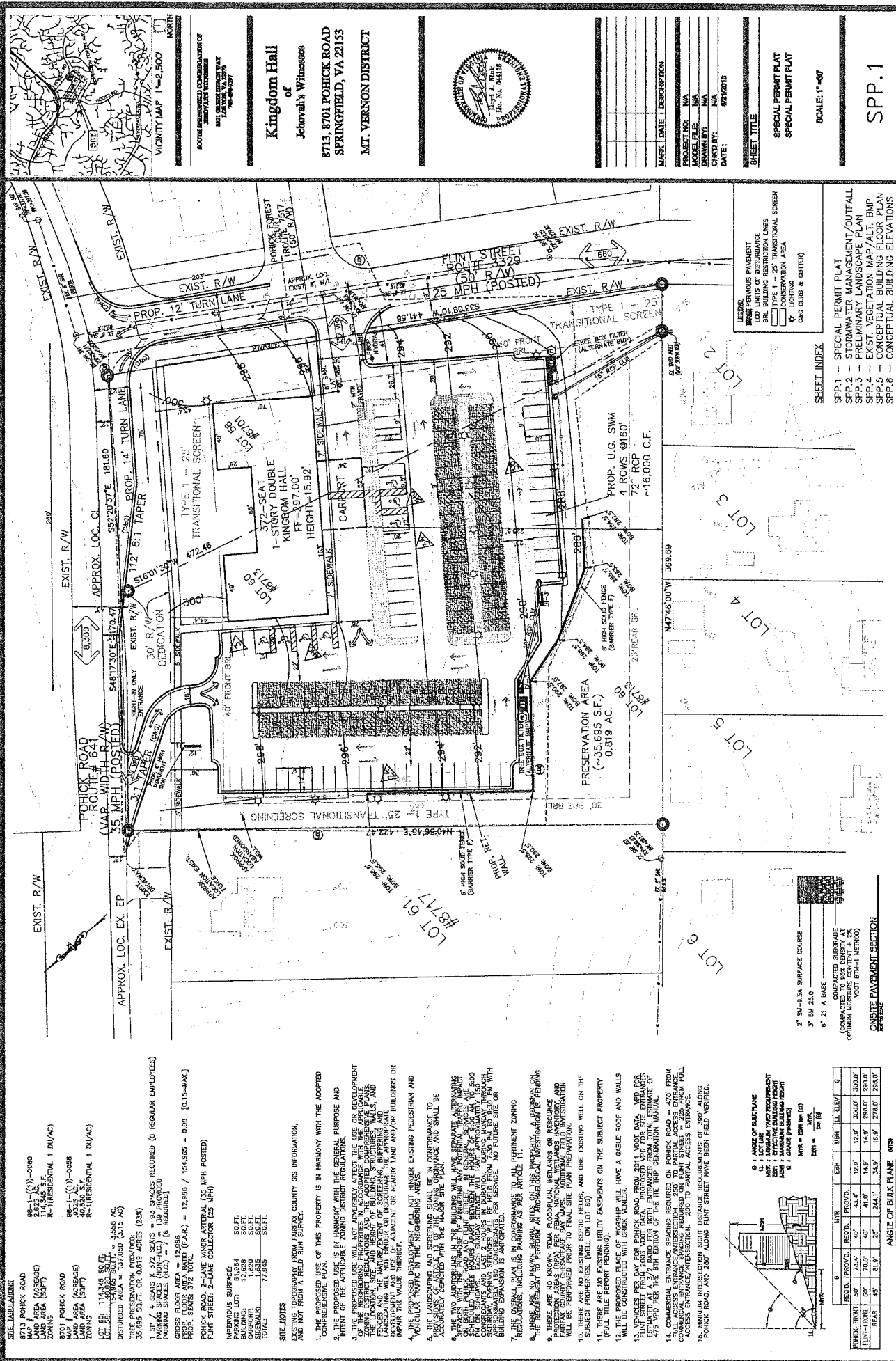


Special Permit

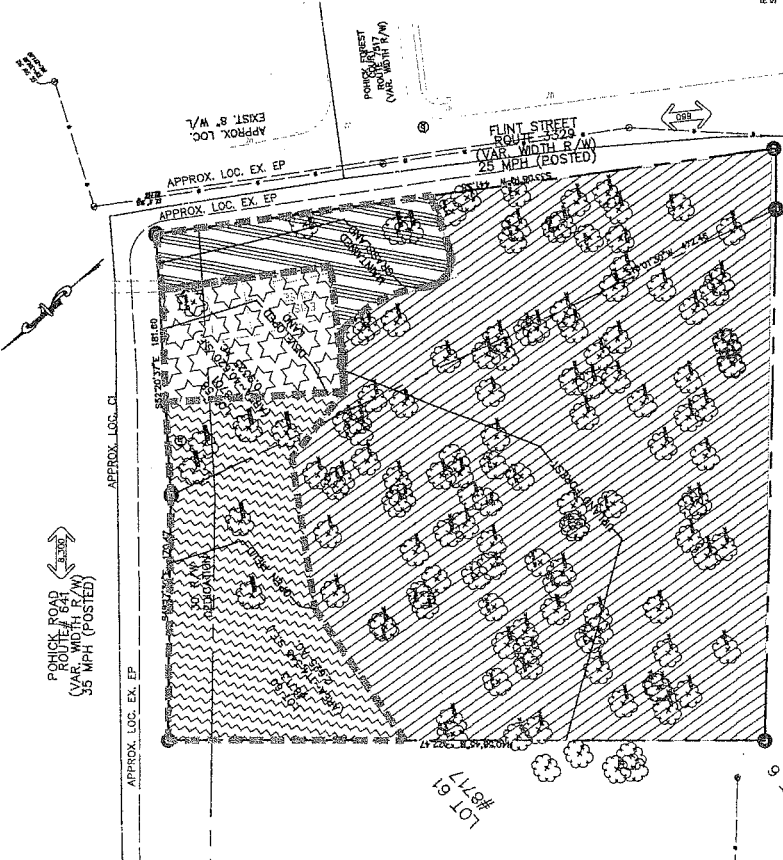
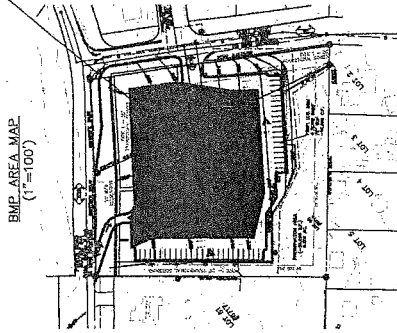
SP 2013-MV-012

SOUTH SPRINGFIELD CONGREGATION OF
JEHOVAH'S WITNESSES





BMP AREA MAP
(1"=100')



EXISTING VEGETATION SUMMARY

COVER TYPE	AREA	PRIMARY TREE SPECIES	CONDITION	SUCC. STAGE
DEVELOPED LAND	0.236 AC.	WHITE OAK	GOOD	SECONDARY
MAINTAINED GRASSLAND	0.236 AC.	WHITE OAK	GOOD	SECONDARY
OPEN FIELD	0.811 AC.	MAPLE	FAIR	SECONDARY
UPLAND FOREST	2.641 AC.	WHITE OAK	FAIR/GOOD	CLIMAX

THE EXISTING PROPERTY CONTAINS AN UPLAND FOREST COMMUNITY CONSISTING PRIMARILY OF WHITE OAK, TULIP TREE, BLACK GUM, AND AMERICAN BEECH. THERE ARE NO HERITAGE, SPECIMEN, OR MEMORIAL TREES NOTED. THE EXISTING COMMUNITY OF TREES ARE IN THE MID-STAGE/STEADY SUCCESSION. ALL TREES IN THE RESPECTIVE COVER TYPES ARE GENERALLY IN FAIR-TO-GOOD CONDITION.

NOTE:

- A DETAILED TREE PRESERVATION PLAN FOR THE TREE SPECIES AND CONDITION ANALYSIS WILL BE PREPARED BY A CERTIFIED ARBORIST AND PROVIDED WITH THE FINAL SITE PLAN IN ACCORDANCE WITH CHAPTER 122 OF THE FAIRFAX COUNTY CODE.
- EXISTING TREES WILL BE PRESERVED TO MEET THE COUNTY TREE PRESERVATION REQUIREMENT.
- TREES TO REMAIN AND TRANSITIONAL SCREENING MUST BE PROTECTED WITH TREE PROTECTION FENCE.
- AT FINAL SITE PLAN, THE OWNER WILL PROVIDE A SITE REMEDIATION PLAN PREPARED BY A CERTIFIED ARBORIST TO REPAIR THE EXISTING AREAS OF SOIL COMPACTION, AND IMPROVE THE CRITICAL ROOT ZONES OF TREES WHICH HAVE BEEN DAMAGED BY RECREATIONAL ACTIVITIES.

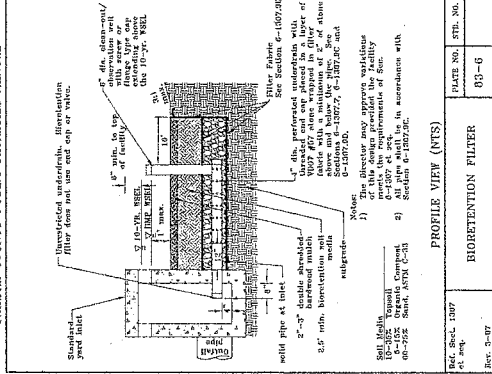
THIS PLAN AND COMPUTATIONS HAVE BEEN PREPARED/REVIEWED BY AN ISA CERTIFIED ARBORIST.

DATE: 02/20/13
DRAWN BY: JAVDA
CHECKED BY: JAVDA
DESIGNED BY: JAVDA

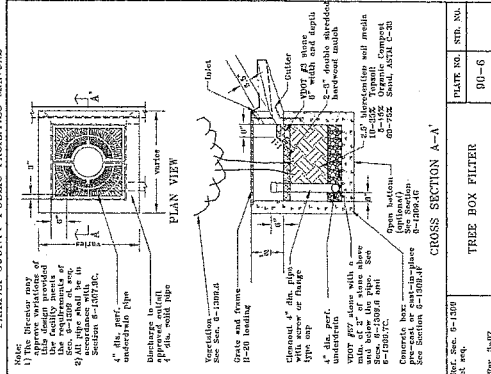
ALTERNATE BMP DETAILS

THE PROPOSED BMP SYSTEM FOR WATER QUALITY IS A PERVIOUS CONCRETE PAVED AREA. THE PLAN INDICATES THE FEASIBILITY OF A PERVIOUS CONCRETE PAVED AREA. THE PERVIOUS CONCRETE PAVED AREA WILL BE USED TO MEET THE REQUIREMENTS OF THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL. THE PERVIOUS CONCRETE PAVED AREA WILL BE USED TO MEET THE REQUIREMENTS OF THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL.

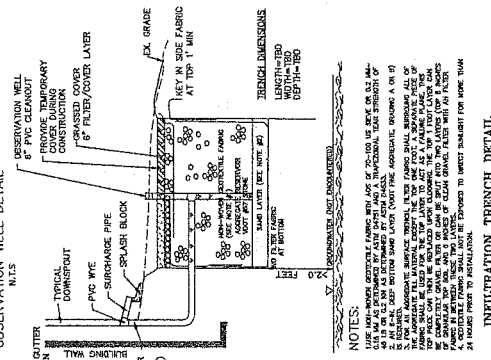
FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



INFILTRATION TRENCH DETAIL
SCALE: N.T.S.



NOTES:
1. THE INFILTRATION TRENCH SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL. THE INFILTRATION TRENCH SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL. THE INFILTRATION TRENCH SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL.

FAIRFAX COUNTY
DEPARTMENT OF PUBLIC WORKS
1000 COMMONWEALTH AVENUE
ARLINGTON, VA 22202
TEL: 703-683-7397

Kingdom Hall
of
Jehovah's Witnesses
8713, 8701 FOHICK ROAD
SPRINGFIELD, VA 22153
MT. VERNON DISTRICT



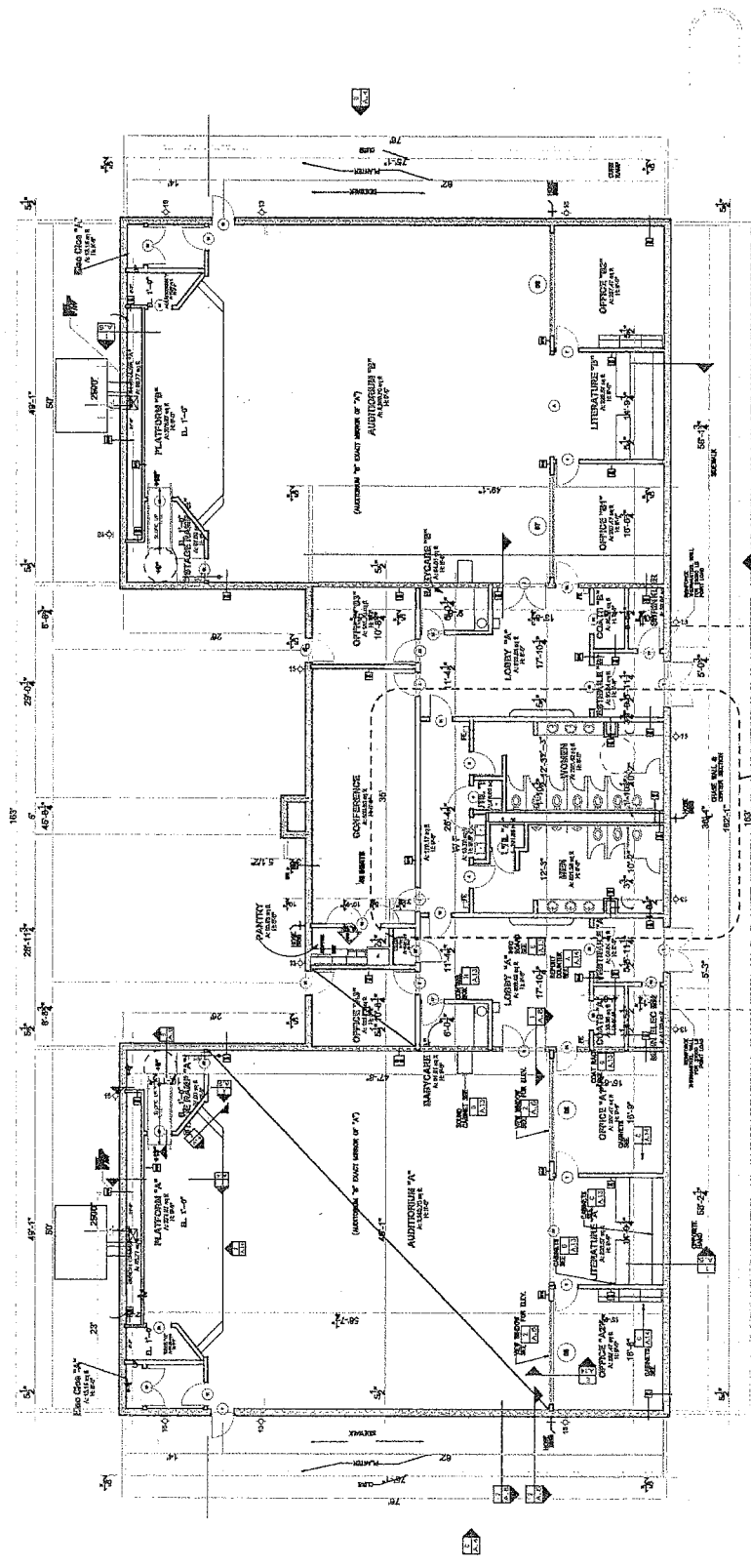
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PROJECT NO.	NA	
MODEL FILE	NA	
DRAWN BY	NA	
CHECKED BY	NA	
DATE	02/20/13	

SPECIAL PERMIT PLAN
EXISTING VEGETATION MAP
ALTERNATE BMP DETAILS
SCALE: 1"=40'

SPP.4

SHEET TITLE		PROJECT TITLE	
SPECIAL PERMIT PLAN		CONCEPTUAL FLOOR PLAN	
NO		DATE	
BY		REVISION	
SHEET No.		SPP.5	
DATE: 1/25/13		SCALE: 1/8"=1'-0"	
OWN BY:		CKO BY:	

8713 POHICK ROAD, FAIRFAX COUNTY, VA
 MODIFIED DESIGN 10
 SPRINGFIELD KINGDOM HALL



GENERAL NOTES:

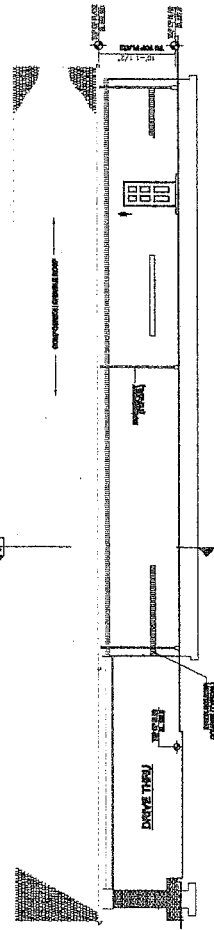
1. FOR DIMENSIONS & DETAILS OF AUDITORIUM "A" SEE SEE
2. FOR DIMENSIONS & DETAILS OF AUDITORIUM "B" SEE SEE
3. DIMENSIONS SHOWN ARE TO FINISHED WALNUTSHEED STUD
4. LOCATE CONSTRUCTION BOXES NEAR LITERATURE COUNTER
5. FOR CONSTRUCTION BOX DETAILS SEE SEE
6. FOR CONSTRUCTION BOX DETAILS SEE SEE
7. THREE GLASS PANELS 4'-0" X 8'-0" V.E.
8. WALL TYPES ON SIDE "B" ARE IDENTICAL TO THOSE INDICATED
9. DIM WALLS TO REDUCE RETURN AIR GRILL SEE MECHANICAL
10. OPENING IN EXTERIOR WALLS FOR DUCTWORK PENETRATION
11. THE CONTRACTOR SHALL ELIMINATE THE EXTERIOR WALL SHEETING
12. ALL INTERIOR WALLS TO BE WALL TYPE 5 UNLESS NOTED OTHERWISE

FLOOR PLAN
 SPP.5

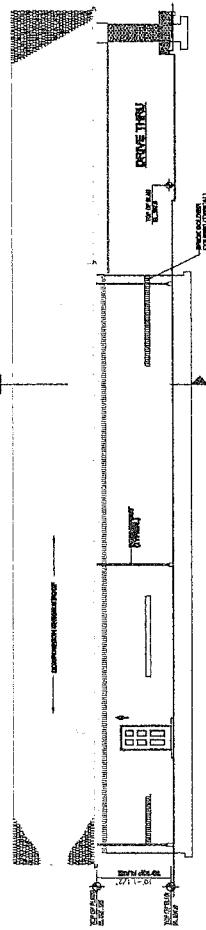
NOTE:
 EXACT LOCATION OF AIRWALLS, RELATIVE
 TO EXTERIOR WALLS, SHALL BE DETERMINED
 FOR EACH CONDITION.

NOTED: EXACT LOCATION OF APARTMENT RELATIVE TO ADJACENT BUILDING TO BE DETERMINED PER SITE CONDITIONS.

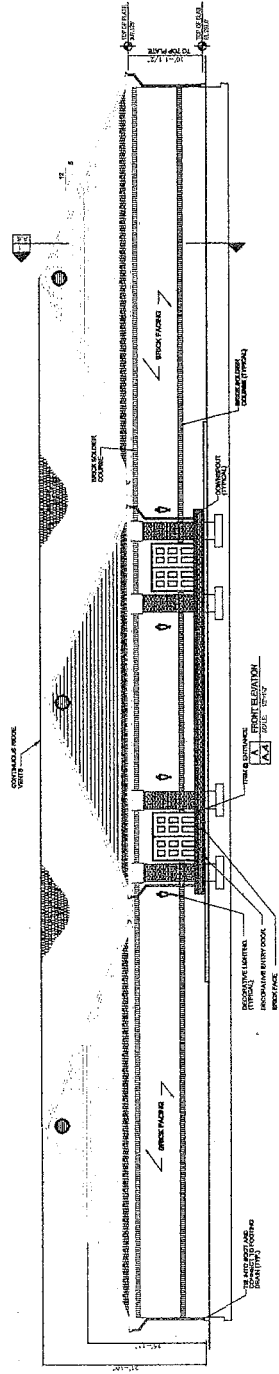
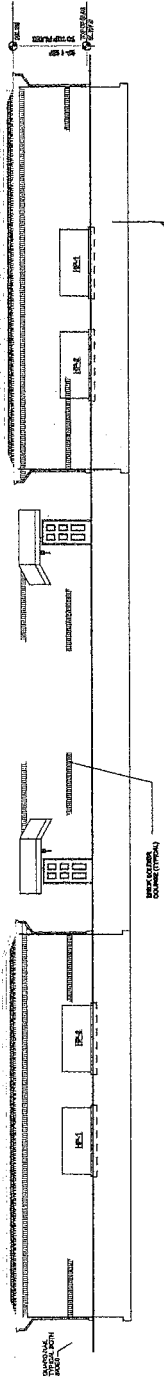
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SCALE: 1/8" = 1'-0"



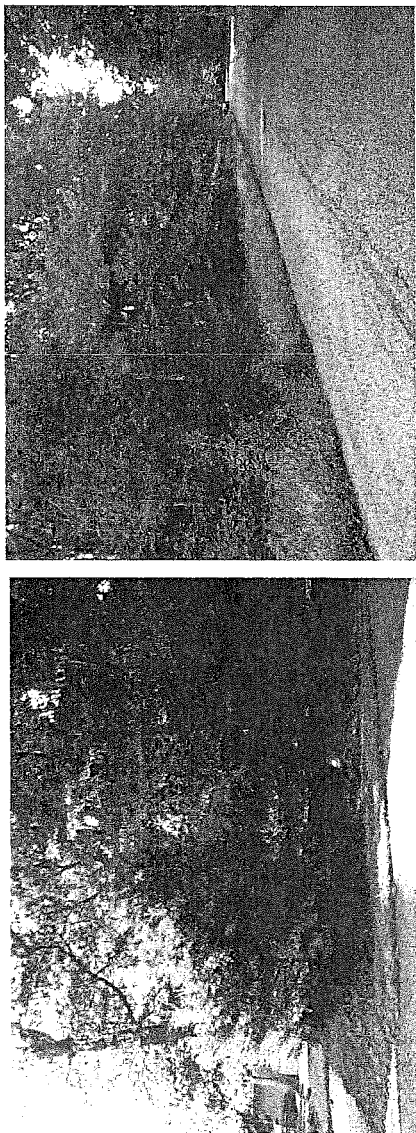
2. LEFT ELEVATION
SCALE: 1/8" = 1'-0"



3. REAR ELEVATION
SCALE: 1/8" = 1'-0"



DWN BY: SCALE: 1/8" = 1'-0" DATE: 1/25/13 CAD #: SHEET No. SPP.6	PROJECT TITLE SPECIAL PERMIT PLAT CONCEPTUAL ELEVATIONS SPRINGFIELD KINGDOM HALL MODIFIED DESIGN 10 8713 POHICK ROAD, FAIRFAX COUNTY, VA	NO. DATE REVISION BY
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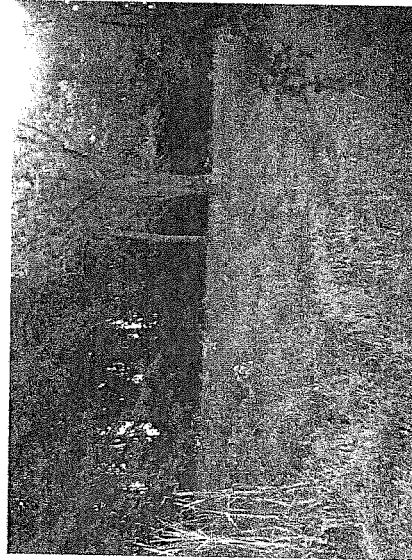
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RECEIVED Department of Planning & Zoning DEC 21 2012 Zoning Evaluation Division	
PROJECT INFORMATION	
KINGDOM HALL OF JEHOVAH'S WITNESSES 8713 & 8701 POHICK ROAD, SPRINGFIELD, VA	
SITE PHOTOGRAPHS PHOTOS 1-4	
SEPTEMBER 29, 2012	
SCALE	SHEET NUMBER
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PLOT DATE	12/20/2012
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Site Photographs.dwg	



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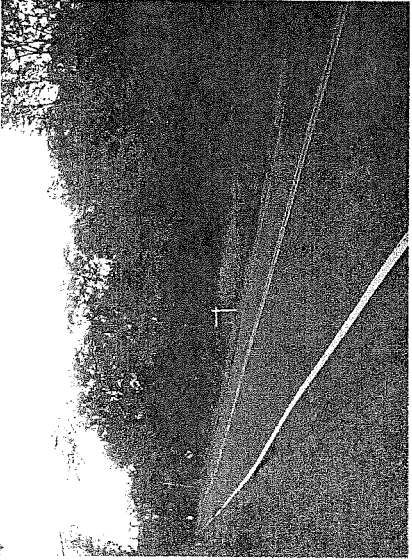
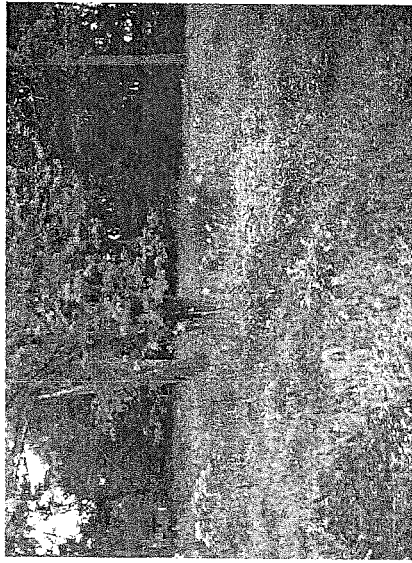


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PROJECT INFORMATION	
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SITE PHOTOGRAPHS PHOTOS 5-8	
SEPTEMBER 29, 2012	
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PLOT DATE	12/20/2012
FILE NAME	Site Photographs.dwg



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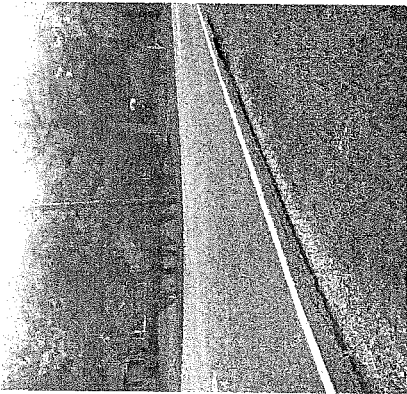
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Organization Name	
SOUTH SPRINGFIELD CONGREGATION OF JEHOVAH'S WITNESSES	
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SITE PHOTOGRAPHS PHOTOS 9-12 SEPTEMBER 29, 2012	
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N/A	4 OF 5
PLOT DATE	12/20/2012
FILE NAME	
Site Photographs.dwg	

Organization Name	
SOUTH SPRINGFIELD CONGREGATION OF JEHOVAH'S WITNESSES	
LEGEND	
01	NUMBER CORRESPONDS TO SITE PHOTOS
PROJECT INFORMATION	
KINGDOM HALL OF JEHOVAH'S WITNESSES 8713 & 8701 POHICK ROAD, SPRINGFIELD, VA	
SITE PHOTOGRAPHS PHOTOS 13-16	
SEPTEMBER 29, 2012	
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PLOT DATE	12/20/2012
FILE NAME	Site Photographs.dwg



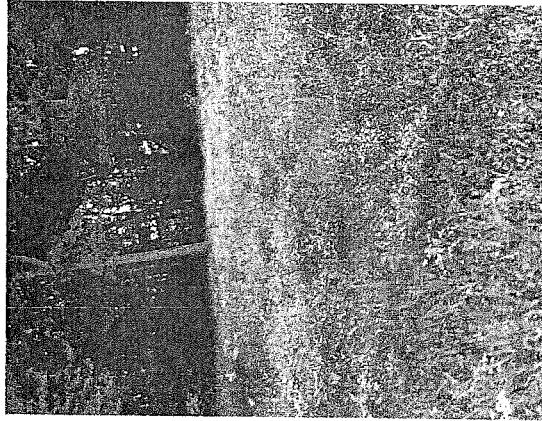
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DESCRIPTION OF THE APPLICATION

Special Permit Request:	Proposed Place of Worship:
Gross Floor Area (GFA):	12,628 square feet
Parking:	139 spaces
FAR:	0.08
Number of Seats:	372 seats
Employees:	None
Hours:	Monday-Saturday 7:30 p.m. to 9:30 p.m. Sunday 9:00 a.m. to 5:00 p.m.

The applicant proposes to construct a new 12,628 square foot place of worship with 372 seats on the southwest corner of Pohick Road and Flint Street. The proposed church would contain two separate auditoriums for worship services, six offices, a conference room, two literature rooms and associated public spaces. The proposed one-story building is to be constructed with a gable roof with composition shingles and the face of the building is shown to be covered with brick. A portico-style drive-through is proposed south of the building. The proposed elevations are included at the front of the staff report.

Adjacent to the proposed building, the applicant indicates a 139 stall parking lot would serve the proposed use. The parking lot is hard surfaced and includes some pervious pavement for stormwater purposes. A retaining wall is proposed around portions of the southwestern corner of the lot, adjacent to the proposed parking lot, ranging from two feet to eight feet in height.

The applicant proposes to preserve the southern portion of the site as a 35,695 square foot preservation area. Existing vegetation within the preservation area is proposed to remain. The site layout also provides for 25-foot wide transitional screening yards planted with evergreen and deciduous trees along all sides of the property. The site layout indicates a 6 foot tall solid barrier fence within the proposed western and southern transitional screen.

Site access is proposed to be provided via a right-in only, from Pohick Road with full access occurring on Flint Street. Vehicles may ingress from Pohick Road or Flint Street. Egress from the site is proposed to Flint Street only. The applicant proposes to construct a right turn lane on Pohick Road to Flint Street and a right turn lane on Flint Street to Pohick Road. None of the access points are proposed for signalization.

The applicant proposes stormwater detention on-site, within the proposed parking lot, in underground storage tanks. Stormwater is proposed to be treated through bio-retention filters and/or infiltration trenches within the proposed parking lot.

The building floor plan indicates two separate auditoriums to be used for services. Each auditorium can accommodate 186 seats. The applicant proposes to stagger services on Sundays between the hours of 9:00 a.m. and 5:00 p.m. Services are approximately 1.5 hours in length. Monday through Saturday, the applicant proposes to hold services

between 7:30 p.m. and 9:30 p.m., with approximately 150 worshippers per service. The applicant indicates there is no staff on site at any time.

The plat contains six sheets, outlined as follows:

- SPP.1: Cover Sheet with general notes.
- SPP.2: Preliminary Stormwater Management/Outfall Plan including outfall narrative, water quality and overland relief details.
- SPP.3: Preliminary Landscape Plan showing transitional screening plantings and parking lot planting details.
- SPP.4: Existing Vegetation Map/Alternate BMP Details indicating existing conditions and pervious paver, bio-retention and tree box filter details.
- SPP.5: Conceptual Floor Plan showing the internal layout of the proposed structure.
- SPP.6: Conceptual Elevations indicating a one-story brick structure with vinyl siding gables and composition shingled pitched roof.

A copy of the special permit plat titled "Kingdom Hall of Jehovah's Witnesses, 8713, 8701 Pohick Road, Springfield, VA 22153, Mt. Vernon District", prepared and signed by Lloyd A. Ntuk, Professional Engineer, dated June 21, 2013, is included at the front of the report.

EXISTING SITE DESCRIPTION

The subject parcel, zoned R-1, is located within the Pohick Road Subdivision on the southwest corner of Pohick Road and Flint Street. The 3.56 acre site is surrounded by residential uses. Existing churches are proximate and include St. Raymond's Catholic Church on the corner of Hooes Road and Pohick Road, the Korean Baptist Church and the Masjid Noor Mosque, both of which are on the north side of Pohick Road. Two child care centers (La Petite and KinderCare) are located northeast of the subject parcels.

Lot 58 contains an existing single family residential dwelling. The lot is served by an existing access from Pohick Road, which is a two lane road with no median. The corner lot also fronts on Flint Street, which is a two lane residential road. Generally the road sections are rural, without curb and gutter. A sidewalk/trail exists on the north side of Pohick Road. Generally, no other sidewalks exist in the immediate vicinity.

The subject parcels slope toward the south. An existing rogue dirt bike trail appears to have been established in the southern portions of the subject parcel, along the southern property line. Vegetation is located throughout the lots and appears to be a mixture of white oak and maple trees.

CHARACTER OF THE AREA

Direction	Use	Zoning	Plan
North	Residential	R-1, PDH-3	2-3 d.u./acre
South	Residential	R-1	1-2 d.u./acre
East	Residential	R-3 C	2-3 d.u./acre
West	Residential	R-1	1-2 d.u./acre

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area: Pohick Planning District; Area III
Planning Sector: Burke Lake Community Planning Sector (P7)
Plan Map: Residential, 1-2 d/u's per acre

ANALYSIS OF THE APPLICATION**Land Use and Environmental Analysis (Appendix 4)**

Stormwater Best Management Practices and Adequate Outfall: The applicant proposes to meet water quality control requirements by using pervious pavement along the west side and the south side of the worship center. In addition, tree preservation is shown along the entire southern portion of the property. The pervious pavers are anticipated to meet a 50% phosphorous removal requirement. Water quantity control will be achieved by an underground vault installed under the southernmost portion of the parking lot.

The outfall narrative indicates that runoff flows south and eastward towards Flint Street through an underground pipe system associated with the Chapel Acres Subdivision and Newington Forest. Ultimately drainage discharges into the downstream floodplain. In the opinion of the consulting engineer the outfall is adequate. The adequacy of stormwater management/best management practice facilities and outfall measures are subject to review and approval by the Department of Public Works and Environmental Services (DPWES) as stated in the Proposed Development Conditions in Appendix 1 of the staff report.

Green Building: The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The applicant was encouraged to commit to green building practices, such as high efficiency mechanical systems, use of materials with recycled content and a high energy building

performance for this development, and has agreed to provide these measures. The County's standard green building condition has been included in the Proposed Development Conditions.

The Countywide Trails Plan depicts a major paved trail along the north side of Pohick Road opposite the subject property. The orthophotograph for this site shows the trail as an existing feature.

With the adoption of the proposed development conditions, these issues are resolved.

Storm Water Analysis (Appendix 5)

There is no floodplain or Resource Protection Area (RPA) on this property. The plan indicates that porous pavement will be used to satisfy the BMP removal requirements. Geotechnical investigation does not confirm the feasibility of infiltration facilities especially on separation from water table/bed rock and field infiltration rates. However, the applicant has indicated that a filtering facility will be used if infiltration is not permitted.

The applicant indicates that at least 50% phosphorus removal will be provided with this development. Water quality controls must be satisfied for this development unless it is waived. (PFM 6-0401.2) In the site plan submission phosphorous removal efficiency computations based on Occoquan method must be shown.

There are several downstream drainage complaints on file. Stormwater detention is mandatory when there are downstream drainage complaints. Complaints received by the Zoning Evaluation Division during this review process were forwarded immediately to the Maintenance and Storm Water Management Division, DPWES, for investigation. At this time, staff has not received a progress update concerning these complaints and whether they are even related to the application property.

An underground detention vault is proposed to meet the detention requirements. The location of detention vault has been identified in the plat. In the site plan submission, detailed detention computations will be required. (PFM 6-0301.3)

The applicant needs to show that no buildings will be flooded with a 100-year design flow, even if the minor system should fail due to blocking. The applicant will need to provide an overland relief narrative and arrows showing runoff flow path of the 100-year storm event. Cross-sections at key locations including the building entrances must be shown on the site plan submission.

A stormwater outfall narrative has been provided with the special permit plat. The applicant indicates that part of the existing outfall system is inadequate and proposes upgrades for two road culverts; one at Redman Street and another on Scott Street. However, a box culvert on Scott Street at Redman Street appears to be almost full. A detailed hydrologic and hydraulic computation will be required on site plan. Upgrades must then be provided if necessary.

The site plan must show that the natural drainage divide will be honored. If natural drainage divides cannot be honored, a drainage diversion justification narrative must be provided at the time of site plan review. (PFM 6-0202.2A)

With the adoption of the proposed development conditions, these issues have been resolved.

Transportation Analysis (Appendix 6)

A Transportation Impact Analysis was required by the Fairfax County Department of Transportation (FCDOT) and has been approved by the Virginia Department of Transportation (VDOT). Turn lane analysis and daily traffic counts were provided, and through the review process the Transportation Department determined additional turn lanes were unnecessary. The applicant however agreed, at the request of the surrounding community, to construct a right turn lane from Pohick Road onto Flint Street and a right turn lane from Flint Street onto Pohick Road.

Based on the number of seats, the use is required to provide 93 parking stalls (one stall per four seats). The applicant proposes to provide 139 parking stalls (one stall per 2.67 seats).

The applicant is providing dedication of additional right of way along Pohick Road.

Urban Forestry Analysis (Appendix 7)

The Urban Forestry Department indicated the site has many trees. Canopy and open space are required. The applicant proposes to preserve a mixture of oak and maple trees at the southern perimeter of the site and retain approximately 48% open space. The applicant proposes to provide the minimum 10-year tree canopy.

With the adoption of the proposed development conditions, the Urban Forestry Department is satisfied with the proposal. Full comments from the Urban Forest Management Division are contained in Appendix 7.

ZONING ORDINANCE PROVISIONS

The lot is zoned R-1 zoning district. The site plan demonstrates the bulk regulations are being satisfied. A summary of the minimum regulations and application provisions is outlined below.

Bulk Regulations R-1 District	Required	Provided
Lot Size	36,000 square feet	3.558 acres
FAR	0.15	0.08

Parking	93 stalls	139 stalls
Bulk Regulations R-1 District	Required	Provided
10 year tree canopy	46,490 square feet (30%)	70,119 square feet (45%)
Front Yard Setback (Pohick)	40 feet or 50 degree Angle of Bulk Plane (ABP)	73 feet
Front Yard Setback (Flint)	40 feet or 50 degree ABP	70 feet
Side Yard Setback (west)	20 feet or 45 degree ABP	25 feet
Rear Yard Setback	25 feet or 45 degree ABP	81 feet
Height	60 feet	16 feet

WAIVERS AND MODIFICATIONS

The applicant requests to modify the barrier requirement along Flint Street and Pohick Road in order to preserve the residential character of the area. Staff agrees with this modification.

The applicant requests to allow the location of the transitional screen along the southern property line to be located inward to the lot, along the edge of the proposed parking lot, in order to allow preservation of the existing trees to be maintained in the proposed conservation easement. Staff agrees with this modification.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 8)

- General Special Permit Standards (Sect. 8-006)
- Standards for All Group 3 Uses (Sect. 8-303)

Summary of Zoning Ordinance Provisions

The proposed use at the specified location shall be in harmony with the adopted comprehensive plan. *Staff finds the requested use in harmony with the Comprehensive Plan, with the adoption of the proposed development conditions contained in Appendix 1.*

The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. *The request meets all required bulk regulations for the R-1 zoning district. The applicant requested a modification of the transitional screening and barrier requirement and staff concurs with the applicant's rationale. With the adoption of the proposed development conditions, staff finds the request in conformance with the Zoning Ordinance provisions for reasons outlined in the staff report.*

The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. *Staff finds the building, location, screening, buffering and landscaping of the proposed place of worship does not hinder or discourage the appropriate development of the adjacent neighborhood. Other churches are located in the area. Transportation analysis indicates the additional traffic does not warrant additional road improvements. The single-story brick and vinyl building is residential in nature. Preservation of existing forested areas on the lots, in addition to proposed new landscaping provides a buffer to abutting properties. Stormwater management will help improve existing conditions in the neighborhood. Staff finds that with the adoption of the proposed development conditions contained in Appendix 1 the application satisfies this standard.*

The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood. *The applicant provided daily traffic counts and proposes additional turn lanes at the request of the neighborhood. Traffic analysis did not warrant additional road improvements. The applicant is providing five-foot sidewalks along the frontage of the property. Staff finds the application meets this standard.*

In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13. *The applicant is providing planting in conformance with Article 13. Staff believes the application satisfies this standard.*

Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located. *Though there is not minimum requirement for open space on this type of application, the special permit plan indicates 48% open space is provided.*

Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11. *The applicant is provided 139 parking stalls, while only 93 stalls are required. With the adoption of the proposed development conditions contained in Appendix 1, staff believes this standard is met.*

Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance. *Staff included a standard condition relative to signage requirements. With the adoption of the proposed development conditions contained in Appendix 1, staff believes this standard is met.*

CONCLUSIONS

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions as discussed previously in the report with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

RECOMMENDATIONS

Staff recommends approval of SP 2013-MV-012 subject to the Proposed Development Conditions in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Land Use and Environment Analysis
5. Stormwater Analysis
6. Transportation Analysis
7. Urban Forestry Analysis
8. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**July 17, 2013****SP 2013-MV-012**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-MV-012 located at Tax Map 98-1 ((1)) 58 and 60 for a place of worship pursuant to Sect. 8-303 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, South Springfield Congregation of Jehovah's Witnesses, and is not transferable without further action of this Board, and is for the location indicated on the application, 8701 and 8713 Pohick Road, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Lloyd Ntuk, Professional Engineer, dated June 21, 2013, approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum number of seats in the worship areas is limited to 372.
6. Parking shall be provided as shown on the special permit plat. All parking for this use shall be on site.
7. Prior to approval of the site plan for the building, the applicant will execute a separate agreement and post a "green building escrow" in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system or other LEED

rating system determined, by the U.S. Green Building Council, to be applicable to the building. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment. If the Applicant fails to provide documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification within fifteen (15) months of the issuance of the final non-RUP for the building, the escrow will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

If the applicant provides to the Environment and Development Review Branch of DPZ, within fifteen (15) months of the issuance of the final non-RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, 50% of the escrow will be released to the Applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

If the applicant fails to provide, within fifteen (15) months of the issuance of the final non-RUP for the building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that the building has fallen short of certification by three points or less, the entirety of the escrow for the building will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

If the applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environment and Development Review Branch of DPZ, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

The applicant will include, as part of the site plan submission, a statement certifying that a LEED®-accredited professional who is also a professional engineer or licensed architect is a member of the design team, and that the LEED-accredited professional is working with the team to incorporate sustainable design elements and innovative technologies into the project with a goal of having the project attain LEED certification.

The Applicant will include, as part of the site plan submission and building plan submission, a list of specific credits within the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design—New Construction (LEED®-NC) rating system, or other LEED rating system determined to be applicable to the building by the U.S. Green Building Council, that the Applicant

anticipates attaining. A professional engineer or licensed architect will provide certification statements at both the time of site plan/subdivision plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain certification of the project.

Prior to site plan approval, the Applicant will designate the Chief of the Environment and Development Review Branch of the Department of Planning and Zoning as a team member in the USGBC's LEED Online system. This team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

8. Lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance. Any outdoor lighting shall be in conformance with the following:
 - a) The lights shall be focused downward directly on the subject property,
 - b) Full cutoff fixtures with shields shall be installed to prevent the light from projecting beyond the property,
 - c) The lights shall be controlled with an automatic shut-off device, and shall be turned off when the site is not in use, and
 - d) Up-lighting of buildings or signs shall not be permitted on the site except at the recessed entrances to the building.
9. Subject to Virginia Department of Transportation (VDOT) and Department of Public Works and Environmental Services (DPWES) approval, right-of-way shall be dedicated and conveyed in fee simple to the Board of Supervisors along the sites Pohick Road frontage as shown on the special permit plat. Dedication of right-of-way and granting of easements shall be made at time of recordation of the site plan or upon demand of either Fairfax County or VDOT, whichever should first occur.
10. The stormwater management and best management practices facilities shall provide a minimum of 40% phosphorous removal.
11. The proposed underground detention facilities shall be designed to reduce the cumulative proposed conditions for the two and ten year release rate from the site 10% below the cumulative existing flow rate.
12. In addition to detaining the two and ten year storms as described above and prescribed by existing County regulations, given approval by DPWES, the outlet devices on the proposed underground SWM facilities shall be designed to maximize the detention of the runoff from the proposed development program for

approximately 0.85" of rainfall which equates to a storm frequency of less than one (1) year.

13. Subject to approval of DPWES, the proposed SWM facilities shall be designed to capture a volume of runoff large enough to fully detain the runoff generated by the proposed development program for the mean annual storm.
14. The underground detention vault shall meet detention requirements. A detailed detention computation shall be provided at the time of site plan submission.
15. At time of site plan, the applicant shall demonstrate to the satisfaction of DPWES that an adequate outfall is provided. A detailed hydrologic and hydraulic computation must be provided on the site plan. Upgrades must be provided, if DPWES deems them necessary to meet outfall requirements.
16. Natural drainage divides shall be honored. If a natural drainage divides cannot be honored, a drainage division justification narrative shall be provided at the time of site plan.
17. Landscaping shall be provided as shown on the special permit plat. Non-invasive species and locally common native species shall be used to the greatest extent possible as determined in coordination with the Urban Forest Management Division, DPWES.
18. A Tree Preservation Plan and Narrative shall be provided as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division.
19. The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the special permit plat and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.
20. The applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 12 inches in diameter

or greater located on the application property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

21. At the time of the respective site plan approvals, the applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the application property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the applicant.
22. The applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.
23. The applicant shall conform strictly to the limits of clearing and grading as shown on the SP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of

DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the special permit plat, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.

24. All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" development condition below.
25. All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.
26. Trees shall root pruned, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:
 - Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
 - Root pruning shall take place prior to any clearing and grading, or demolition of structures.
 - Root pruning shall be conducted with the supervision of a certified arborist.
 - An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.
27. The demolition of all existing features and structures within areas protected by the limits of clearing and grading areas shown on the SP shall be done by hand without heavy equipment and conducted in a manner that does not impact

individual trees and/or groups of trees that are to be preserved as reviewed and approved by the UFMD, DPWES.

28. During any clearing or tree/vegetation/structure removal on the site, a representative of the applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.
29. Sidewalks shall be provided along all street frontages, as shown on the special permit plat.
30. The maximum gross floor area of the church shall be 12,628 square feet as shown on the special permit plat.
31. The building shall be constructed in substantial conformance with the materials and elevations as shown in the special permit plat.

This approval, contingent on the above-noted conditions, shall not relieve the Applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently pursued. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): _____
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: October 8, 2012
 (enter date affidavit is notarized)

I, LLOYD A. NTUK, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) ☐ applicant
☒ applicant's authorized agent listed in Par. 1(a) below

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and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
SOUTH SPRINGFIELD CONGREGATION OF JEHOVAH'S WITNESSES	8321 Green Heron Way Lorton, VA 22070	APPLICANT/ CONTRACT PURCHASER
LLOYD A. NTUK	2655 Prosperity Avenue, #430 Fairfax, VA 22031	AGENT FOR APPLICANT
LAND ENGINEERING, PLC	11350 Random Hills Road, Suite 800 Fairfax, VA 22030	AGENT FOR APPLICANT
STYLIANIA A. PLOUTIS & KOSTANTINOS KOUKIDES	9034 Swans Creek Way Lorton, VA 22079	TITLE OWNER OF TM 098-1- ((1))-0058
POTOMAC CUSTOM HOMES II, LLC % ELITOK & HARTNETT AT LAW, LLC	2428 Wisconsin Avenue, NW, 2nd Floor Washington, DC 20007	TITLE OWNER OF TM 098-1- ((1))-0060

(check if applicable) ☒ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: October 8, 2012
(enter date affidavit is notarized)

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1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

SOUTH SPRINGFIELD CONGREGATION OF JEHOVAH'S WITNESSES
8321 Green Heron Way
Lorton, VA 22070

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

The South Springfield Congregation of
Jehovah's Witnesses is a Virginia non-stock,
non-profit corporation without shareholders.

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

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Special Permit/Variance Attachment to Par. 1(b)

DATE: October 8, 2012
(enter date affidavit is notarized)

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NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Potomac Custom Homes II, LLC
8216-B Old Courthouse Road
Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Engin Elitok
8921 Ataturk Way
Lorton, VA 22079

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

LAND Engineering, plc
11350 Random Hills Road, Suite 800
Fairfax, VA 22030

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Lloyd A. Ntuk
2655 Prosperity Avenue #430
Fairfax, VA 22031

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): _____
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: October 8, 2012
(enter date affidavit is notarized)

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- 1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)
NONE

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): _____
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: October 8, 2012
(enter date affidavit is notarized)

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1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

NONE

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: OCTOBER 8, 2012
(enter date affidavit is notarized)

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3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☐ Applicant

☒ Applicant's Authorized Agent

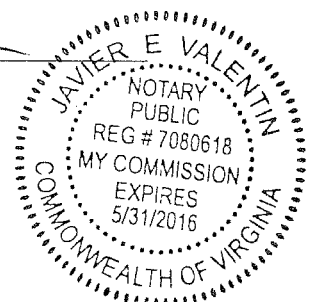
LLOYD A. NTUK

(type or print first name, middle initial, last name, and title of signer)

Subscribed and sworn to before me this 8 day of OCTOBER 2012, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

My commission expires: 05/31/2016

Notary Public



RECEIVED
Department of Planning & Zoning

JUN 26 2013

Zoning Evaluation Division

Section 5

STATEMENT OF JUSTIFICATION

- A. Type of operation(s): **Place of worship/Church**
- B. Hours of operation(s): **The two auditoriums in the building will have separate alternating services with the purpose of minimizing any potential traffic impact on both Pohick Road and Flint Street. In general, services are scheduled three hours apart between the hours of 9:00 am to 5:00 pm on Sundays. Each Sunday service will have approximately 150 congregants and last 2 hours in duration. (6 total services on Sunday.) During Monday through Saturday, evening services will be held from 7:30 pm to 9:30 pm with approximately 150 congregants per service. (2 total services per evening Monday through Saturday.) No future site or building expansion is anticipated.**
- C. Estimated number of patrons/clients/patients/pupils/etc.: **372**
- The application proposes to exceed the required number of parking spaces by over 58%. No events or services are anticipated to exceed the maximum available on-site parking. Should the need for additional parking be required, there are four other existing Kingdom Hall facilities within 13 miles of the application property from which shuttle services can be arranged.**
- D. Proposed number of employees/attendants/teachers/etc.: **0 (There are no workers, employees, attendants, or teachers for this facility.)**
- E. Estimate of traffic impact: **Sunday and Saturday daily trips of 476 trips from 9:00 am to 5:00 pm. 153 weekend peak hour trips expected at 12:00 pm. Monday-Friday daily trips of 118 trips from 9:00 am to 9:00 pm. 18 peak hour trips expected at 7:00 pm. - [Based on ITE Manual, 8th edition: 10,335 square foot church.]**
- F. General areas to be served: **Fairfax County (portions of the Mount Vernon District, Springfield District, Lee District, Braddock District)**
- G. Description of building facade: **Traditional 1-story with gable roof, CMU or brick veneer**
- H. Listing of hazardous materials or toxic substances: **None known.**
- I. Statement of conformance:

This request is for permission to construct of a place of worship at 8713 and 8701 Pohick Road in the Mount Vernon district of Fairfax County. This application is in general conformance to the ordinances, regulations, standards and applicable conditions for the Residential-District (R-1) district as set forth in the Fairfax County Zoning Ordinance.

GENERAL STANDARDS

- 1) The proposed construction is consistent with the comprehensive plan for the Burke Lake Community (P-7) Sector within the Pohick Planning District. Specifically the project development preserves the suburban character of the district; protects the South Run segment of the Pohick watershed by means of onsite stormwater management; and maintains compatibility with surrounding areas of low-density residential and church uses. There are no specific transportation, parks & recreation, public facilities, heritage resource, trails, or land use recommendations on the subject property or adjacent areas.
2. Places of worship are allowable special permit uses within the R-1 district as set forth in Article 3-104 of the Zoning Ordinance. The proposed use and hours of operation are in harmony with the general purpose and intent of the R-1 district, with a focus on protecting the watershed and low-density development. The property currently meets all lot size requirements; the proposed structures have been designed to meet bulk regulation and density standards; and the proposed site plan will be developed to meet all additional regulations pursuant to a church use.
3. The proposed use is located near the boundary of low-density residential areas, and the size and scale of the building/site improvements does not adversely impact the character of the surrounding area. Appropriate structure materials, walls, fences, screening, and buffering will be utilized so as not to impair the use or value of adjacent properties.
- 4) Site vehicular access is oriented to an arterial (Flint Street off Pohick Road), and the proposed vehicular and pedestrian circulation patterns will be designed to complement existing and anticipated traffic in the neighborhood. Further analysis and coordination with VDOT will determine the extent of area traffic improvements required with submission of the final site plan.
- 5) Landscaping and screening, tree preservation, and tree cover requirements will be met per R-1 district regulations, and will be shown in detail on the final site plan. On the basis of PFM 13-305(3) a request is made to modify the transitional screening location requirement of PFM 13-302(2) along the southern lot perimeter. To allow for the preservation of an existing stand of trees which will serve as a buffer/screen - we request the required Type I screen be located closer to the use along the limits of disturbance, rather than directly offset from the property line. A request is also made to modify the barrier requirement along the road frontages of Flint Street and Pohick Road. This modification to PFM 13-304(4) will preserve the residential character of the lot by providing landscaping planting alone, to serve as a transitional screen, rather than a barrier fence. These two modifications maintain the density, and purpose of the screen and is in harmony with the purpose and intent of the transitional screening requirement.
- 6) Open space requirements will be met per R-1 district regulations, and will be shown in detail on the final site plan.
- 7) The proposed concept plan shows improvements to provide adequate water service, sewer service, and drainage for the proposed application. Electric service is currently available to the site. Adequate parking and loading spaces shall be provided according to the Zoning Ordinance, and Public Facilities Manual (PFM).
- 8) All proposed signs on the site, and on the buildings comply with Article 12 of the Zoning Ordinance.

Any additional standards set forth for Group 3 Institutional Uses or as required by the Board of Zoning Appeals will be implemented in the final site plan.



County of Fairfax, Virginia

MEMORANDUM

DATE: May 15, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PGN*
Environment and Development Review Branch, DPZ

SUBJECT: **ENVIRONMENTAL ANALYSIS:** SP 2013-MV-012
South Springfield Congregation of the Jehovah's Witnesses

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the revised Special Permit (SP) Plat dated May 2, 2013. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on pages 7-9, the Plan states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County's best management practice (BMP) requirements. . . .

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Planning Division
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Policy j. Regulate land use activities to protect surface and groundwater resources.

Policy k. For new development and redevelopment, apply better site design and low impact development (LID) techniques. . . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 10, the Plan states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 19, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants.

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development.
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*).
- Optimization of energy performance of structures/energy-efficient design.
- Use of renewable energy resources.

- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products.
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies.
- Reuse of existing building materials for redevelopment projects.
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris.
- Use of recycled and rapidly renewable building materials.
- Use of building materials and products that originate from nearby sources.
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs....

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed development. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the county's remaining natural amenities.

Background: The South Springfield Congregation of Jehovah's Witnesses proposes to build a new 372 seat worship center located on 2.65 acres of land on the south side of Pohick Road, southeast of the Fairfax County Parkway in the Pohick Creek Watershed.

Stormwater Best Management Practices and Adequate Outfall: The applicant proposes to meet water quality control requirements by using pervious pavement along the west side and the south side of the worship center. In addition, tree preservation is shown along the entire southern portion of the property. The pervious pavers are anticipated to meet a 50% phosphorous removal requirement. Water quantity control will be achieved by an underground vault installed under the southernmost portion of the parking lot.

The outfall narrative indicates that runoff flows south and eastward towards Flint Street through an underground pipe system associated with the Chapel Acres Subdivision and Newington Forest. Ultimately drainage discharges into the downstream floodplain. In the opinion of the consulting engineer the outfall is adequate. The adequacy of stormwater management/best management practice facilities and outfall measures are subject to review and approval by the Department of Public Works and Environmental Services.

Green Building: The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The applicant is encouraged to commit to green building practices, such as high efficiency mechanical systems, use of materials with recycled content and a high energy building performance for this development.

COUNTYWIDE TRAILS MAP

The Countywide Trails Plan depicts a major paved trail along the north side of Pohick Road opposite the subject property. The orthophotograph for this site shows the trail as an existing feature.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: May 20, 2013

TO: Rebecca Horner; Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Thakur Dhakal, Senior Engineer III
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Special Permit Plat #SP 2013-MV-012; 8701, 8713 Pohick Road; SP Plat dated 22 April 2013; LDS Project #25316-ZONA-001-1; Tax Map #098-1-01-0058, 0060; Pohick Creek Watershed; Mount Vernon District

We have reviewed the subject application, development plan and offer the following Stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this property. The plan indicates that porous pavement will be used to satisfy the BMP removal requirements. Geotechnical investigation does not confirm the feasibility of infiltration facilities especially on separation from water table/bed rock and field infiltration rates. However, the applicant has indicated that a filtering facility will be used if infiltration is not permitted.

The applicant indicates that at least 50% phosphorus removal will be provided with this development. Water quality controls must be satisfied for this development unless it is waived. (PFM 6-0401.2) In the site plan submission phosphorous removal efficiency computations based on Occoquan method must be shown.

Floodplain

The site does not fall within regulated floodplains.

Department of Public Works and Environmental Services
Land Development Services, Site Development and Inspections Division
12055 Government Center Parkway, Suite 535
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Phone 703-324-1720 • TTY 711 • FAX 703-324-8359



Downstream Drainage Complaints

There are several downstream drainage complaints on file. More information on this complaint is available from the Maintenance & Stormwater Management Division (703-877-2800). Stormwater detention is mandatory when there are downstream drainage complaints.

Stormwater Detention

Applicant indicates that an underground detention vault will be proposed to meet the detention requirements. The location of detention vault has been identified in the plat. In the site plan submission, a detailed detention computation must be provided. (PFM 6-0301.3)

Onsite Major Storm Drainage System and Overland Relief

The applicant needs to show that no buildings will be flooded with a 100-year design flow, even if the minor system should fail due to blocking. Applicant needs to provide an overland relief narrative and arrows showing runoff flow path of the 100-year storm event. Cross-sections at key locations including the building entrances must be shown on the site plan submission.

Downstream Drainage System

Stormwater outfall narrative has been provided. Applicant indicates that part of the outfall system is inadequate and proposes upgrade of two road culverts one at Redman Street and another on Scott Street. However, a box culvert on Scott Street on Redman Street appear to be almost full. A detailed hydrologic and hydraulic computation must be provided on site plan. Upgrades must be provided if necessary.

Drainage Diversion

During the site plan submission, the natural drainage divide shall be honored. If natural drainage divides cannot be honored, a drainage diversion justification narrative must be provided. (PFM 6-0202.2A)

Stormwater Planning Comments

This case is located in the Pohick Creek Watershed. There are several watershed management plans (PC9202, PC9204) near the subject site. Please visit http://www.fairfaxcounty.gov/dpwes/watersheds/publications/pc/01_pc_wmp_fullplan_ada.pdf and contact Stormwater Planning Division for more details.

Dam Breach

This property is not located within the dam breach inundation zone.

Rebecca Horner; Staff Coordinator
SP Plat #SP 2013-MV-012
Page 3 of 3

These comments are based on the 2011 version of the Public Facilities Manual (PFM). A new Stormwater ordinance and updates to the PFM's Stormwater requirements are being developed as a result of changes to state code (see 4VAC50-60 adopted May 24, 2011). The site plan for this application may be required to conform to the updated PFM and the new ordinance.

Please contact me at 703-324-1720 if you require additional information.

TD/

cc: Fred Rose, Chief, Watershed Planning & Assessment Branch, Stormwater Planning
Division, DPWES
Clinton Abernathy, Acting Chief, South Branch, SDID, DPWES
Zoning Application File



County of Fairfax, Virginia

MEMORANDUM

DATE: June 17, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief *MAK*
Site Analysis Section *AKR*
Department of Transportation

FILE: 3-6 (SP 2011-MV-012)

SUBJECT: Transportation Impact, Addendum

REFERENCE: SP 2013-MV-012; South Springfield Congregation of Jehovah's Witnesses
Traffic Zone: 1652
Land Identification: 98-1 ((1)) 58, 60

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the plats made available to this department dated January 25, 2013, and revised through April 2013; and traffic counts at the intersection of Pohick Road and Flint Street dated May 23, 25, and 26, 2013. The traffic counts during the usage hours of the proposed Kingdom Hall fall below the thresholds for any turn lanes. VDOT concurs with these findings and FCDOT agrees. The applicant however, at the request of the citizens in the local neighborhood, has agreed to construct a right turn lane from Pohick Road onto Flint Street and a right turn lane from Flint Street onto Pohick Road.

AKR/LAH/lah



County of Fairfax, Virginia

MEMORANDUM

DATE: July 9, 2013

TO: Rebecca Horner, Senior Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Jay Banks, Urban Forester II
Urban Forest Management-Forest Conservation Branch
Department of Public Works and Environmental Services

SUBJECT: Kingdom Hall of Jehovah's Witness Church; SP 2013-MV-012

RE: Request for review of Special Permit Plat

I have reviewed the above referenced Special Permit Plat application stamped as received on June 26, 2013 by the Department of Planning and Zoning. All tree conservation and landscape requirements have been met.

At this time the Forest Conservation Branch staff has no further comments regarding this application.

If further assistance is desired, please contact me at 703-324-1770

JSB/

UFMDID #: 147425

cc: DPZ File

Department of Public Works and Environmental Services
Urban Forest Management Division
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Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
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Horner, Rebecca D.

From: Banks, Jay
Sent: Tuesday, July 09, 2013 8:02 AM
To: Horner, Rebecca D.
Subject: Jehovah Witness Church

Rebecca,
I'm ready to send you a completed memo for the plat. We still need to add the development conditions from Todd's last memo. I have attached those conditions for your use.

Development Conditions

Tree Preservation: "The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 12 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SP and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0507 and 12-0509. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan."

Tree Appraisal: "The Applicant shall retain a professional arborist with experience in plant appraisal, to determine the replacement value of all trees 12 inches in diameter or greater located on the Application Property that are shown to be saved on the Tree Preservation Plan. These trees and their value shall be identified on the Tree Preservation Plan at the time of the first submission of the respective site plan(s). The replacement value shall take into consideration the age, size and condition of these trees and shall be determined by the so-called "Trunk Formula Method" contained in the latest edition of the Guide for Plan Appraisal published by the International Society of Arboriculture, subject to review and approval by UFMD.

At the time of the respective site plan approvals, the Applicant shall post a cash bond or a letter of credit payable to the County of Fairfax to ensure preservation and/or replacement of the trees for which a tree value has been determined in accordance with the paragraph above (the "Bonded Trees") that die or are dying due to unauthorized construction activities. The letter of credit or cash deposit shall be equal to 50% of the replacement value of the Bonded Trees. At any time prior to final bond release for the improvements on the Application Property constructed adjacent to the respective tree save areas, should any Bonded Trees die, be removed, or are determined to be dying by UFMD due to unauthorized construction activities, the Applicant shall replace such trees at its expense. The replacement trees shall be of equivalent size, species and/or canopy cover as approved by UFMD. In addition to this replacement obligation, the Applicant shall also make a payment equal to the value of any Bonded Tree that is dead or dying or improperly removed due to unauthorized construction activity. This payment shall be determined based on the Trunk Formula Method and paid to a fund established by the County for furtherance of tree preservation objectives. Upon release of the bond for the improvements on the Application

Property constructed adjacent to the respective tree save areas, any amount remaining in the tree bonds required by this proffer shall be returned/released to the Applicant."

Tree Preservation Walk-Through. "The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions."

Limits of Clearing and Grading. "The Applicant shall conform strictly to the limits of clearing and grading as shown on the SP, subject to allowances specified in these proffered conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SP, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities."

Tree Preservation Fencing: "All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" development condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES."

Root Pruning. "The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete."

Demolition of Existing Structures. "The demolition of all existing features and structures within areas protected by the limits of clearing and grading areas shown on the SP shall be done by hand without heavy equipment and

conducted in a manner that does not impact individual trees and/or groups of trees that are to be preserved as reviewed and approved by the UFMD, DPWES."

Site Monitoring. "During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as proffered and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or Registered Consulting Arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES."

Jay Banks
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8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.